

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MONICA KURGAN and MADELINE DIAZ,]	
on behalf of themselves and others similarly]	
situated,]	Case No. 10-C-1899
]	
Plaintiffs,]	
v.]	Honorable Robert M. Dow, Jr.
]	
CHIRO ONE WELLNESS CENTERS LLC]	Magistrate Judge Arlander Keys
]	
Defendant.]	
]	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO CONDUCT DISCOVERY ON CLASS ACTION ISSUES**

1. Plaintiffs Monica Kurgan and Medeline Diaz (Plaintiffs) move to extend the deadline to conduct discovery on class action issues by 45 days.

2. Plaintiffs are former Chiropractic Technicians/Assistants employed by Defendants. They allege they and other similarly situated employees were not paid overtime in violation of the Fair Labor Standards Act and the Illinois Minimum Wage Law. Plaintiffs intend to file a motion for class certification and need to conduct discovery on class certification issues.

3. Plaintiffs served Defendants with discovery requests related to class action issues on December 8, 2010. The Court ordered Defendants to answer Plaintiffs' discovery by February 11, 2011. *See* Doc. 29.

4. Defendants have since produced thousands of documents. Defendants last produced documents on March 14, 2011, over one month past the Court's deadline. *See* Exhibit 1, Cover Letter. In the cover letter accompanying their latest round of discovery responses,

Defendants state they intend to produce additional documents. *Id.* However, Defendants have not yet produced these documents.

5. On March 29, 2011, Plaintiffs requested an extension to conduct discovery on class action issues from Defendants. With no answer from Defendants, Plaintiffs followed up and finally received Defendants' consent to the extension on April 4, 2011.

6. Plaintiffs have diligently sought the discovery they need to file their motion for conditional certification. Plaintiffs need additional time to conduct discovery because Defendants produced documents late and intend to produce additional documents.

7. Accordingly, Plaintiffs request a 45-day extension to conduct discovery on class action issues. Plaintiffs have conferred with Defendants regarding this motion and Defendants are unopposed.

Dated: **April 11, 2011**

Respectfully submitted,

/s/ Richard J. (Rex) Burch

One of the Attorneys for Plaintiff

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